

Sec. 10. This Act, being deemed of immediate importance, takes effect from and after its publication in the Diamond Trail News, a newspaper published in Sully, Iowa, and in The Manchester Press, a newspaper published in Manchester, Iowa.

Approved May 3, 1982

I hereby certify that the foregoing Act, House File 2362 was published in the Diamond Trail News, Sully, Iowa on May 12, 1982 and in The Manchester Press, Manchester, Iowa, on May 12, 1982.

MARY JANE ODELL, *Secretary of State*

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**CHAPTER 1181**  
**CRIMINAL AND JUVENILE JUSTICE PLANNING AGENCY**  
**AND ADVISORY COUNCIL**  
*S.F. 464*

**AN ACT** creating a criminal and juvenile justice planning agency and a criminal and juvenile justice advisory council, prescribing duties, transferring existing programs, and abolishing the Iowa crime commission.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. **NEW SECTION. AGENCY CREATED.** The criminal and juvenile justice planning agency is created in the office of the governor. The agency is responsible for coordinating criminal and juvenile justice activities in the state including planning, research, program implementation, and the administration of grants and other funds. The governor shall appoint the executive director of the agency who shall serve at the pleasure of the governor. As used in sections 1 through 4 of this Act unless the context otherwise requires "agency" means the criminal and juvenile justice planning agency created in this section.

Sec. 2. **NEW SECTION. ADVISORY COUNCIL.** The criminal and juvenile justice advisory council is created to advise the agency in the performance of its duties and to perform other duties as required by law. The council shall consist of eleven members. The governor shall appoint seven members each for a four year term beginning and ending as provided in section 69.19 and subject to confirmation by the senate as follows:

1. Three persons who are either a county supervisor, county sheriff, a mayor, city chief of police or a county attorney.
2. Two persons shall represent the general public and shall not be employed in any law enforcement, judicial, or corrections capacity.
3. Two persons who are knowledgeable about Iowa's juvenile justice system.

The commissioner of the department of social services, the commissioner of public safety, the attorney general and the chief justice of the supreme court shall each designate a person to serve on the council.

Members of the council shall receive reimbursement from the state for actual and necessary expenses incurred in the performance of their official duties. Public members shall also receive forty dollars per diem. As used in this Act unless the context otherwise requires "council" means the criminal and juvenile justice advisory council created in this section.

Sec. 3. NEW SECTION. DUTIES OF AGENCY. The agency shall act as the state criminal and juvenile justice planning agency for purposes established by state or federal laws and shall:

1. Identify issues and analyze the operation and impact of present criminal and juvenile justice policy and make recommendations for policy changes.
2. Coordinate with data resource agencies to provide data and analytical information to federal, state and local governments, and assist agencies in the use of criminal and juvenile justice data.
3. Report criminal and juvenile justice system needs to the governor, the general assembly, and other decision makers to improve the criminal and juvenile justice system.
4. Provide technical assistance upon request to state and local agencies.
5. Administer federal funds and funds appropriated by the state or that are otherwise available for study, research, investigation, planning and implementation in the areas of criminal and juvenile justice.
6. Make grants to cities, counties and areas pursuant to applicable law.

Sec. 4. NEW SECTION. PLAN AND REPORT. Beginning in 1984, and every five years thereafter, the agency shall develop a twenty-year criminal and juvenile justice plan for the state which shall include ten, fifteen, and twenty year goals and a comprehensive five year plan for criminal and juvenile justice programs. The five year plan shall be updated annually and each twenty year plan and annual updates of the five year plan shall be submitted to the governor and the general assembly by February 1.

Sec. 5. Section 7A.10, subsection 1, Code 1981, is amended to read as follows:

1. There is created a juvenile victim restitution program which shall be funded through funds appropriated by the general assembly to the ~~office for planning and programming criminal and juvenile justice planning agency~~. The primary purpose of the program is to provide funds to compensate victims for losses due to the delinquent acts of juveniles.

Sec. 6. The Code editor shall transfer section 7A.10 to the same chapter in which sections 1 through 4 of this Act are placed.

Sec. 7. Chapter 80C, Code 1981, is repealed.

Sec. 8. On the effective date of this Act all property, programs, grants, and other funds of the Iowa crime commission are transferred to the criminal and juvenile justice planning agency.

Sec. 9. Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 14, section 3, subsections 1, 2, and 3 are amended to read as follows:

	<u>1981-1982</u> <u>Fiscal Year</u>	<u>1982-1983</u> <u>Fiscal Year</u>
1. IOWA CRIME COMMISSION, OR ITS SUCCESSOR AGENCY		
a. Criminal justice planning .....	\$ 234,000	\$ 260,000
b. Juvenile justice planning .....	\$ 37,840	\$ 48,935
c. Jail standards development, jail training, and technical assistance .....	\$ 100,000	\$

2. It is the intent of the general assembly that if the duties of the Iowa crime commission specified in subsection 1 of this section and for which funds are appropriated are subsequently

transferred to another agency, the funds appropriated in subsection 1 of this section are appropriated to the successor agency criminal and juvenile justice planning agency to be expended only for the purposes specified in subsection 1 of this section.

3. If legislation creating a criminal justice improvement fund is enacted and becomes law, the appropriations in subsection 1 of this section for each year of the fiscal biennium beginning July 1, 1981 and ending June 30, 1983 are void.

Approved May 21, 1982

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**CHAPTER 1182**  
**PRIVATE FISH HATCHERIES**  
*S.F. 452*

**AN ACT** relating to private fish hatcheries.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 109.64, Code 1981, is amended to read as follows:

109.64 LICENSE—REGULATIONS. It shall be is unlawful for any person to operate a private fish hatchery or engage in the business of propagating fish native to the state of Iowa in private waters until such the person has applied for and has been issued a private fish hatchery license as provided by state law. Such The license shall be renewed each year.

The term "private fish hatchery" covering private fish hatcheries shall include includes all private ponds, with or without buildings, used for the purpose of propagating or holding fish for commercial purposes.

No license shall be issued to operate private fish hatcheries on privately owned or non-meandered lakes and streams or ponds that may become stocked with fish from public waters by overflow or natural migration.

Holders of private fish hatchery licenses may, in said the hatchery, possess, propagate, buy, sell, deal in and transport the fish produced from breeding stock lawfully acquired, but all fish sold for food purposes must comply with the state law regarding size limits.

They may sell fish for stocking purposes within or without the state, but no fish shall be sold for stocking purposes within the state that are not native to the state and to the waters where stocked unless application is first made in writing to the commission by the buyer for a permit therefor and a permit is granted.

Each operator of a private fish hatchery shall make an annual report of the number, kinds and sizes of the fish propagated and to whom sold during the license year on forms supplied by the commission. Failure to make such the report shall be is grounds for refusal to renew the license under which the hatchery operates.

Operators of private fish hatcheries shall secure their breeding stock from licensed private fish hatcheries in the state or from lawful sources outside the state and it shall be is unlawful for such hatcheries to secure stock in any other way.